

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**IN RE: SAMSUNG TOP-LOAD )  
WASHING MACHINE MARKETING, )  
SALES PRACTICES AND PRODUCT )  
LIABILITY LITIGATION )**

**MDL Case No. 17-ml-2792-D**

**THIS DOCUMENT RELATES TO )  
ALL ACTIONS )**

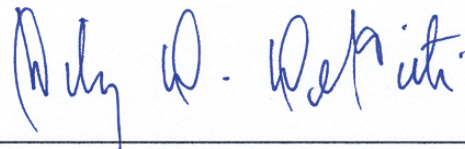
**ORDER**

On November 16, 2017, the Court held the Initial Case Management Conference (“CMC”). Counsel for Plaintiffs and Defendants appeared as reflected in the previously entered minute order [Doc. No. 30]. At the CMC the Court directed the parties as follows:

- Defendants are to submit by letter the resumes of counsel they propose to take a leadership role for the defense within seven days of the CMC.
- Plaintiffs are to submit by letter, within seven days of the CMC, a representation that their previous filings on Plaintiffs’ leadership are sufficient to evaluate the qualifications of counsel for leadership roles within the multidistrict litigation structure and for potential interim class counsel designation, or submit any supplemental information that may be necessary for the stated purposes.
- Within twenty-one days of the CMC, Defendants are to submit further briefing in response to Plaintiffs' Brief Regarding Current Status of Consolidated Cases [Doc. No. 23], limited to twenty pages, on the following contested issues:
  - The scope of allowable discovery while Motions to Dismiss are pending;

- The viability of a procedure to adjudicate a sampling of Motions to Dismiss and the application of rulings thereon to underlying cases with similar claims and defenses;
  - The use of a Consolidated (or Master) Complaint and/or direct filing; and,
  - Whether or not to utilize a bellwether-type trial procedure.
- Within twenty-one days of Defendants' response on the issues set forth above, Plaintiffs may submit a reply brief, limited to ten pages.
- Within fourteen days after the Court rules on the contested issues discussed in the additional briefing described above, parties are to meet and confer regarding items to be included in the Case Management Order and provide notice to the Court of items agreed upon and any items on which the parties are unable to agree.
- Parties are to meet and confer regarding a proposed Protective Order and Electronically Stored Information ("ESI") protocol and submit proposed orders earmarking any contested issues within twenty-one days of the CMC.
- Parties are to meet and confer on the issue of the content of communications with potential class members during administration of the ongoing Consumer Product Safety Commission recall. Parties will provide notice to the Court regarding these discussions, and whether Court intervention is necessary, at the same time as their notice regarding a proposed Protective Order and Electronically Stored Information ("ESI") protocol.

IT IS SO ORDERED this 21<sup>st</sup> day of November, 2017.

A handwritten signature in blue ink, reading "Timothy D. DeGiusti". The signature is written in a cursive, flowing style.

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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE